IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7339 OF 2005

Gorkap Properties & Investment Pvt.Ltd. ..Petitioner.
(Org.R'sdent/A'cant.)

Versus

Rudabhai Bhimji Sutar ..Respondent No.1.
(Org.Plaintiff)

And

M/s. Ajani Woodworks ..Respondent No.2.
(Org.Defendants)

Mr. Navroz Seervai with Ms. Preeti Shah i/by Mulla & Mulla for the Petitioner.

Mr. Haindaday for the Respondent No.1.

CORAM : S. A. BOBDE, J.
DATED : 24TH OCTOBER, 2005.

P.C.:

1. Rule returnable forthwith. Mr. Haindaday for the Respondent No.1 appear and waive service of rule. Heard by consent.

2. After hearing the matter for quite some time, the following order is passed by consent :-

3. The order dated 15th September, 2005 passed by the Bombay City Civil Court on Chamber Summons No. 885/2004 in S.C.Suit No. 4580/2003 is hereby set aside.

4. The learned City Civil Court shall hear the parties afresh and pass such orders as may be appropriate in accordance with law. All contentions of the parties are left open.

5. The chamber summons shall be disposed of as expeditiously as possible and in any case not later than 24th of November, 2005.

6. Rule is disposed of in the above terms.

DT. 24.10.05 (S.A.BOBDE,J)

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